

**RECOMMENDATION**

The Planning Board unanimously recommends the motion under Article 43 be **APPROVED**.

**PUBLIC HEARING**

A duly advertised public hearing was held on February 10, 2016 in the Selectmen's Meeting Room in the Town Office Building. The Board presented an overview of the intent of the article and the outreach process used over the course of its development. Several residents were present to speak to the proposal, most notably representatives of the Center Committee and the Lexington Center Alliance, both of which participated in the process. After discussion, the Board closed the hearing. After deliberations at their meeting of March 16, the Planning Board unanimously voted to recommend the adoption of this article as detailed below.

**PROPOSED MOTION**

That Chapter 135 of the Code of the Town of Lexington, the Zoning Bylaw, be amended as follows:

1. Delete the current Section 3.1.6 and replace with the following:
  - 3.1.6 Banks and Credit Unions and Real Estate Sales or Rentals in CB District.
    1. Purpose. Lexington Center is a place in which shops, work places, schools, historic attractions, housing, open space, and civic facilities intimately co-exist to create an active retail and cultural destination with an identifiable sense of place. It is in the public interest that the Town protect and enhance the vibrancy of the Central Business District by creating a supportive environment for a diverse group of uses throughout the Center, and regulating the use of the limited first floor storefront area and frontage of the Central Business District is necessary to achieve this goal.
    2. Special Permit Review Criteria. In addition to the criteria detailed in § 135-9.4.2, as a precondition to allowing the establishment, relocation, or expansion of a banking or credit union or real estate service use (Lines H.1.05 and Line H.1.04 respectively in the Table of Uses) in the Central Business District, the SPGA must also find that the applicant has satisfied the specific criteria listed below:
      - a) The granting of the special permit will advance the goals expressed in § 3.1.6.1 above;
      - b) The proposed use in the proposed location is in the public interest;
      - c) The proposed use will maintain hours and days of operation and an active storefront consistent with other retail uses in the Central Business District;
      - d) The proposed length of the storefront will not exceed the average length of other storefronts in the Central Business District except for good cause;
      - e) The proposed first floor square footage will not exceed the average size of other storefronts in the Central Business District except for good cause; and
      - f) No office, conference, or storage spaces will be located adjacent to the street or sidewalk.

2. Modify Lines H.104 and H.1.05 of the Table of Uses:

<b>H.</b>	<b>PERSONAL, BUSINESS, OR GENERAL SERVICE USES</b>	<b>CB</b>
H.1.04	Real estate sales or rental ( <u>see § 3.1.6</u> )	<del>Y</del> <u>SP</u>
H.1.05	Bank or Credit Union ( <u>see § 3.1.6</u> )	<del>Y</del> <u>*SP</u>
<del>* Not permitted in a center storefront through July 31, 2016 (see section 3.1.6)</del>		